

MAR 14 2014

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
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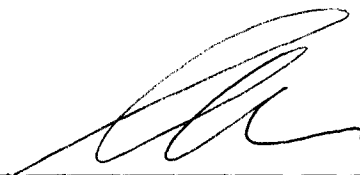
ADRIAN NATHANIEL BACON,)	
Plaintiff,)	Civil Action No. 7:13cv00350
)	
v.)	ORDER
)	
C/O C. ROSE, <i>et al.</i> ,)	By: Samuel G. Wilson
Defendants.)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Bacon's claims against Payne and McQuinn are **DISMISSED** under 21 U.S.C. § 1915 for failure to state a claim; the Clerk is **DIRECTED** to **TERMINATE** Payne and McQuinn as defendants to this action; and the defendants' motion for summary judgment (ECF No. 18) is **DENIED** as to the claim against Rose and moot as to the other claims.

Further, Bacon's motion to compel discovery (ECF No. 22) is **GRANTED** to the extent that Rose shall respond to Bacon's requests within 20 days of the entry of this order. Defendants' motion for a protective order (ECF No. 26), in which defendants request that no discovery be permitted until the issue of qualified immunity is decided, is **DENIED**.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the parties.

ENTER: March 14, 2014.


UNITED STATES DISTRICT JUDGE